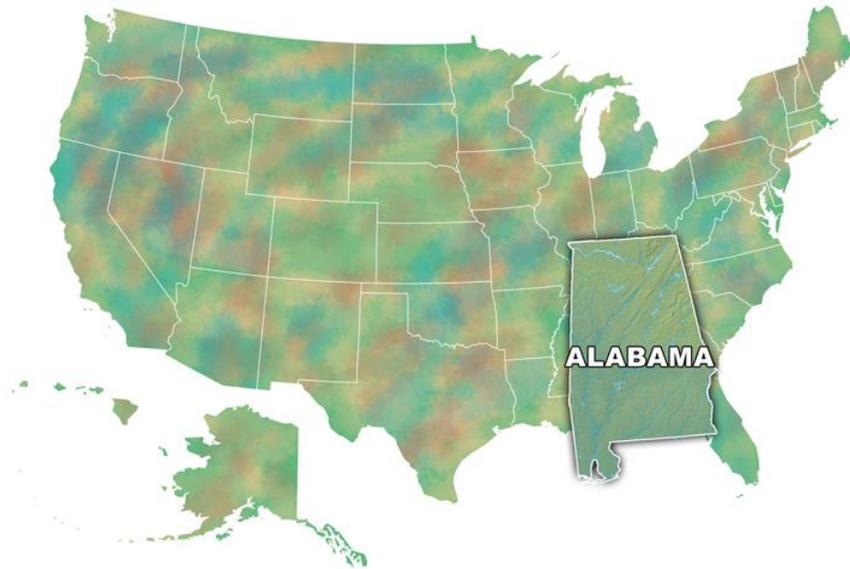


State Report

Alabama

This document is excerpted from:

The December 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Alabama

State Profile and Underage Drinking Facts*

State Population: 4,833,722
 Population Ages 12–20: 587,000

	Percentage	Number
Ages 12–20		
Past-Month Alcohol Use	19.4	114,000
Past-Month Binge Alcohol Use	11.5	68,000
Ages 12–14		
Past-Month Alcohol Use	5.6	11,000
Past-Month Binge Alcohol Use	2.3	4,000
Ages 15–17		
Past-Month Alcohol Use	17.3	33,000
Past-Month Binge Alcohol Use	11.5	22,000
Ages 18–20		
Past-Month Alcohol Use	34.3	70,000
Past-Month Binge Alcohol Use	20.0	41,000
Alcohol-Attributable Deaths (under 21)		94
Years of Potential Life Lost (under 21)		5,662
	Percentage of All Traffic Fatalities	Number
Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01	26	15

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited—no explicit exceptions noted in the law.

Underage Consumption of Alcohol

Consumption is prohibited—no explicit exceptions noted in the law.

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited, but youth may purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) targeting minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver’s license suspension through a judicial procedure.

Provision(s) targeting retailers

- No statutory affirmative defense—statutes do not provide an affirmative defense related to retailer’s belief that the minor was 21 years old or older.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.02
- BAC level at or above the limit is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of violation leading to driver’s license suspension, revocation, or denial

- Underage purchase
- Underage possession
- Underage consumption

Authority to impose driver’s license sanction

- Mandatory

Length of suspension/revocation

- Minimum: 90 days
- Maximum: 180 days

Graduated Driver’s License

Learner stage

- Minimum entry age: 15
- Minimum learner stage period: 6 months
- No minimum supervised driving requirement with driver education; 30 hours without

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 12 a.m.
 - No primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger who is not a parent, guardian, family member, or person at least 21 years old
 - No primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 17

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols

Age of decoy

- Minimum: 16
- Maximum: 19

Appearance requirements

- Male: No beard
- Female: No heavy makeup

ID possession

- Unclear

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated

Penalty Guidelines for Sales to Minors

- Time period/conditions: Not specified
- First offense: \$750 fine
- Second offense: \$1,000 fine

Responsible Beverage Service

Voluntary beverage service training

- Applies to both on-sale and off-sale establishments
- Applies to both new and existing outlets
- Mitigation of fines or other administrative penalties for sales to minors
- Protection against license revocation for sales to minors

Minimum Ages for Off-Premises Sellers

- Beer: Not specified
- Wine: Not specified
- Spirits: 21

Condition(s) that must be met in order for an underage person to sell alcoholic beverages

- Manager/supervisor is present.

Note: A minor employee of an off-premises retail licensee may handle, transport, or sell beer or table wine, provided an adult employee is in attendance at all times.

Minimum Ages for On-Premises Sellers

- Beer: 19 for servers and 21 for bartenders
- Wine: 19 for servers and 21 for bartenders
- Spirits: 19 for servers and 21 for bartenders

Condition(s) that must be met in order for an underage person to sell alcoholic beverages

- Manager/supervisor is present.

Distance Limitations for New Alcohol Outlets near Universities and Schools***Colleges and universities***

- Limitations on outlet siting:
 - Off-premises outlets: Yes—within one mile
 - On-premises outlets: Yes—within one mile
 - Alcohol products: Beer, wine, spirits

Primary and secondary schools

- No distance limitation

Dram Shop Liability

Statutory liability exists.

Social Host Liability Laws

Statutory liability exists.

Host Party Laws

Social host law is specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession, consumption
- Property type(s) covered by liability law: Residence, other
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence.
- Preventive action by the host negates the violation.

Note: Alabama's provision requires that the adult social host be in attendance at the gathering or party in order for a violation to occur. The "preventive action" provision in Alabama requires the prosecution to prove that the host failed to take preventive action.

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are not permitted.

Keg Registration

Registration is not required.

Home Delivery

- Beer: Prohibited
- Wine: Prohibited
- Spirits: Prohibited

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$1.05 per gallon

Wine (12 percent alcohol)

- Control state

Spirits (40 percent alcohol)

- Control state

Drink Specials

- Free beverages: Not prohibited
- Multiple servings at one time: Not prohibited
- Multiple servings for same price as single serving: Prohibited
- Reduced price, specified day or time: Not prohibited—not permitted before 10 a.m. or after 9 p.m.
- Unlimited beverages: Not prohibited
- Increased volume: Not prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Retailer credit: Not permitted

Spirits (40 percent alcohol)

- Control state

Alabama State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i> Alabama Alcoholic Beverage Control Board	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Don't know
Such laws are also enforced by local law enforcement agencies	Not applicable
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession by state law enforcement agencies	Yes
Number pertains to the 12 months ending	693
Data include arrests/citations issued by local law enforcement agencies	12/31/2013
<i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	No
Number of retail licensees in state ³	Yes
Number of licensees checked for compliance by state agencies (including random checks)	Unknown
Number of licensees that failed state compliance checks	3,126
Numbers pertain to the 12 months ending	20
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	12/31/2013
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	Yes
Number of licensees that failed random state compliance checks	313
<i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	20
Number of licensees checked for compliance by local agencies	No
Number of licensees that failed local compliance checks	Unknown
Numbers pertain to the 12 months ending	Unknown
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish minors</i>	
Number of fines imposed by the state ⁴	No
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	Not applicable
Largest fine imposed	Not applicable
Numbers pertain to the 12 months ending	Not applicable
	12/31/2013

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	12/31/2013
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	No
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Additional Clarification	
No data	

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State	
North Central	
Program serves specific or general population	General population
Number of youth served	Not applicable
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data
<p>Program Description: The target priorities for information dissemination are prescription drugs and underage drinking. Eight primary venues may include (1) Health Fairs; (2) Child Safety Conference; (3) Calhoun Community College; (4) school events; (5) media (media campaigns, media outlets, social media websites, newspaper articles); (6) speaking engagements; (7) businesses (pharmacy “take home bags,” 20,000–25,000 utilities customers, florists, dress/tuxedo shops, limo drivers, alcohol vendors/merchants); and (8) community agencies/organizations (medical offices, Advisory Committee, MHC Board of Directors, MCSAN Coalition, senior citizen centers, Area Agency on Aging, Community Action, Commission on Aging, and law enforcement personnel, etc.). The media campaigns include information about prescription and over-the-counter drug misuse, “Prescription Drug Take-Back Day” and “Lock Your Meds” campaigns, and information about other substance abuse and unhealthy behaviors. Underage drinking campaigns will include materials from “Parents Who Host Lose the Most” and information to support compliance with the Decatur City Alcoholic Beverage Ordinance including the Responsible Vendor Program.</p>	
North Central	
Program serves specific or general population	General population
Number of youth served	Not applicable
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The target priorities for this strategy are to conduct activities in Morgan County to (1) reduce access and availability of alcohol to minors and raise community awareness of the dangers of underage drinking (UAD) and (2) reduce and/or prevent prescription and over-the-counter drug misuse and abuse and raise community awareness of the dangers of diverting medication for unintended use. The intent is to (1) promote the enforcement of underage drinking and prescription drug laws and regulations; (2) conduct activities that will raise awareness of youth, parents, and the community about the importance of the enforcement of the Decatur City Alcohol Ordinance and the need to comply with social hosting laws; and (3) encourage responsible storage and disposal of prescription and over-the-counter medication. Focus efforts include reducing the noncompliance rate of alcohol sales to minors in the city of Decatur, increasing the amount of medications collected at Prescription Drug Take-Back Days, and conducting media campaigns via “Lock Your Meds” materials.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

URL for more program information: No data

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No
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Description of collaboration: Not applicable

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Description of program: Not applicable

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	No
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Agencies/organizations that established best practices standards:

Federal agency(ies):

Agency(ies) within your state:

Nongovernmental agency(ies):

Other:

Best practice standards description:

Additional Clarification

No data

State Interagency Collaboration

<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	No
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Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

<i>A website or other public source exists to describe committee activities</i>	Not applicable
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URL or other means of access: Not applicable

Underage Drinking Reports

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Not sure
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Prepared by: Not applicable

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years	Yes
Prepared by: Alabama’s Epidemiological Outcomes Workgroup (AEOW)	
Plan can be accessed via: http://www.mh.alabama.gov/Downloads/SAPV/EpidemiologicalProfile.pdf	
Additional Clarification	
No data	

State Expenditures for the Prevention of Underage Drinking	
<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$6,000
Estimate based on the 12 months ending	12/31/2013
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$5,400
Estimate based on the 12 months ending	12/31/2013
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$34,338
Estimate based on the 12 months ending	12/31/2013
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$8,262
Estimate based on the 12 months ending	12/31/2013
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2013
<i>Other programs:</i>	
Programs or strategies included: Data not available	
Estimate of state funds expended: Data not available	
Estimate based on the 12 months ending: Data not available	

Funds Dedicated to Underage Drinking	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other: Unsure	No
<i>Description of funding streams and how they are used:</i>	
Not applicable	
Additional Clarification	
The information submitted in this section reflects state funds, not federal funds.	